

104TH CONGRESS  
2D SESSION

# S. 1602

To amend the Plant Variety Protection Act to provide plant variety protection to a tuber propagated plant variety if the variety has not been sold or otherwise disposed of in any area outside the United States for more than a period determined by the Secretary of Agriculture and the variety receives plant variety protection in any area outside the United States, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MARCH 11, 1996

Ms. SNOWE (for herself and Mr. COHEN) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

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## A BILL

To amend the Plant Variety Protection Act to provide plant variety protection to a tuber propagated plant variety if the variety has not been sold or otherwise disposed of in any area outside the United States for more than a period determined by the Secretary of Agriculture and the variety receives plant variety protection in any area outside the United States, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. PLANT VARIETY PROTECTION FOR CERTAIN**  
2 **TUBER PROPAGATED PLANT VARIETIES.**

3 Section 42(a)(1)(B) of the Plant Variety Protection  
4 Act (7 U.S.C. 2402(a)(1)(B)) is amended—

5 (1) in clause (i), by striking “or” at the end;

6 (2) in clause (ii), by inserting “or” after the  
7 semicolon at the end; and

8 (3) by adding at the end the following:

9 “(iii) in the case of a tuber propa-  
10 gated plant variety, more than a period  
11 longer than 4 years prior to the date of fil-  
12 ing, as determined by the Secretary, if the  
13 variety receives plant variety protection in  
14 any area outside of the United States.”.

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